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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/615,569
Filing Date	7/7/2003
First Named Inventor	Johnson, Steven
Art Unit	3768
Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number 01682-22027.CIP 3.CON 2

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):  \$100 fee for Petition for an Unintentionally...
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<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Remarks	

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Thorpe North & Western, ILP		
Signature			
Printed name	Garron M. Hobson		
Date	April 18, 2007	Reg. No.	41073

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Garron M. Hobson	Date	April 18, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT REISSUE APPLICATION  
Attorney Docket No.: 22027.CIP3.CON2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

ART UNIT: 2882

EXAMINER:

APPLICANT: JOHNSON, STEVEN A.

SERIAL NO.: 10/615,569

CONFIRM. NO.: 9030

FILED: July 7, 2003

FOR: APPARATUS AND METHOD FOR  
IMAGING OBJECTS WITH  
WAVEFIELDS

DOCKET NO.: 22027.CIP3.CON2

**PETITION RENEWAL/  
RESPONSE**

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Petitioner renews its Petition for an Unintentionally Delayed Claim for the Benefit of Priority Under 35 U.S.C. 120 filed for the above referenced patent under 37 CFR 1.78(a)(3) on March 16, 2007.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on April 18, 2007.

Respectfully submitted,

Garron M. Hobson, Reg. No. 41,073

APPLICANT HEREBY RENEWS IT'S PETITION FOR AN UNINTENTIONALLY  
DELAYED BENEFIT CLAIM UNDER 37 CFR 1.78(a)3.

Pursuant to 37 U.S.C. 1.78(a)3, this renewed petition includes the following items:

1. REFERENCE: The above referenced patent is a continuation of, and claims benefit to U.S. patent application Serial No. 10/024,035, filed on Dec. 17, 2001, now U.S. Patent No. 6,636,584, which is a continuation of US Patent Application Serial No. 09/471,106, titled Apparatus And Method For Imaging Objects With Wavefields, and filed on December 21, 1999, now U.S. Patent No. 6,587,540, which is incorporated herein by reference, which is a continuation-in-part of U.S. Patent Application Serial No. 08/706,205, filed on Aug. 29, 1996, now abandoned, which is a continuation-in-part of U.S. Patent Application Serial No. 08/486,971, filed on June 22, 1995, now abandoned, which is a continuation-in-part of U.S. Patent Application Serial No. 07/961,768, filed on Oct. 14, 1992, now U.S. Patent No. 5,588,032.
2. PETITION SURCHARGE: \$ 1,370.00 (37 CFR 1.17(t)) was previously paid with petitioner's original petition dated September 9, 2005.
3. STATEMENT: The entire delay in claiming priority under 35 U.S.C. 120 between the date the claim was due under 37 CFR 1.78(a)2 and the date the claim was filed was unintentional.
4. AMENDMENT: Applicant previously submitted a preliminary amendment to the specification although applicant notes that the application is now under examination and a response to a first office action mailed October 11, 2006 has been submitted.
5. REMARKS: Petitioner's renewed petition for an Unintentionally Delayed Claim for the Benefit of Priority under 35 U.S.C. 120 was dismissed because petitioner delayed filing a renewed petition until over one year after the mailing of the October 28, 2005 decision even though the October 28, 2005 decision set out precisely what was required to submit a grantable petition. Accordingly, as requested by the Legal Examiners, Petitioner herein sets forth an explanation for the lengthy delay between the mail date of the decision of October 28, 2005 and the filing of the renewed petition on December 18, 2006.

Petitioner notes the time line for the present Petition is as follows:

1. On September 9, 2005, Petitioner filed a Petition for an Unintentionally Delayed Claim for the Benefit of Priority under 35 U.S.C. 120 for U.S. Patent Application 10/615,569, filed July 7, 2003.
2. On October 28, 2005 the Petition was dismissed by the Office of Petitions for improperly incorporating by reference prior filed applications AND because the priority chain in every preceding application in the chain was not correct. After

Petitioner received the dismissal, Petitioner called Petitions Examiner Wan Laymon who clarified that the priority chain in each preceding applications must be correct before the correction to the present application could be made.

3. On January 31, 2006, Petitioner submitted a renewed Petition for an Unintentionally Delayed Claim for the Benefit for preceding application 10/024,035, filed December 17, 2001.
4. On August 2, 2006, the petition for the preceding application (10/024,035) was granted and a certificate of correction was issued on September 26, 2006 and received by Petitioner on October 3, 2006.
5. On December 15, 2006, Petitioner filed the present renewed Petition for U.S. Patent Application 10/615,569, filed July 7, 2003.

In summary, Petitioner's understanding of the October 28, 2005 decision was that the priority claim of the preceding application (10/024,035) must be corrected before a renewal of the present petition for U.S. Patent Application 10/615,569, filed July 7, 2003. The correction on the preceding application (10/024,035) was not received until October 3, 2006, and Petitioner then filed the renewal of the present Petition two months after receiving the correction of the priority claim in the preceding application.

Accordingly, Petitioner believes he has been reasonable diligent in pursuing the Petition for an Unintentionally Delayed Claim for the Benefit of Priority under 35 U.S.C. 120 for U.S. Patent Application 10/615,569 since:

1. the delay from October 28, 2005 to October 3, 2006 was a direct consequence to work on a related case that contributed substantially to the ultimate preparation of the instant renewed Petition (see MPEP 2138.06); and
2. the remaining delay from October 3 2006 to December 15, 2006 was only two months, which time is attributable to Petitioner's attorney taking up the matter in due course of a reasonable backlog of unrelated cases (See Bey v. Kollonitsch, 866 F.2d 1024 (Fed. Cir. 1986)).

## CONCLUSION

In light of the above, Petitioner respectfully request it's Petition for an Unintentionally Delayed Claim for the Benefit of Priority Under 35 U.S.C. 120 be renewed. If any impediment to the renewal of the Petition remains after submission of the Certificate of Correction, the Petition Examiner is strongly encouraged to call Garron M. Hobson at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

Petitioner encloses a check in the amount of \$100.00 for the Certificate of Correction fee. It is Petitioner's understanding that an additional Petition fee is not required. However, the Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Petition Renewal Request to Deposit Account No. 20-0100.

DATED this 18 day of April, 2007.

Respectfully submitted,



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